

**To:** Pam Tames/R2/USEPA/US@EPA[]  
**Cc:** Lauren Charney/R2/USEPA/US@EPA;LoriTarolli@ongov.net[]; oriTarolli@ongov.net[]  
**From:** LuisMendez@ongov.net  
**Sent:** Tue 11/3/2009 9:58:28 PM  
**Subject:** Re: access agreement for Lower Ley Creek bank  
U-S E-P-A Access Agreement Ley Creek 11-03--2009.doc

Dear Ms. Tames:

Attached for review is a draft Access Agreement. The Scope of Work will consist of items 1, 2, and if necessary, item 3 of the draft submitted under cover of your email earlier today. The Site will be as depicted in the maps discussed during our telephone conversation of November 2nd. We will also need contact information for the Agency.

Please note that the draft will also be reviewed by our client. I am making it available for concurrent review by the Agency in an effort to accommodate the Agency's request for expedited consideration. Should you have any questions please do not hesitate to contact me.

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Tames.Pam@epamail.epa.gov

11/03/2009 03:32 PM To LuisMendez@ongov.net, Charney.Lauren@epamail.epa.gov  
cc LoriTarolli@ongov.net  
Subject Re: access agreement for Lower Ley Creek bank

Please cc: Lauren Charney, the site attorney (she is cc:d on this message) when you send me the revised access agreement. Thanks, Pam

Pamela Tames, P.E.  
EPA, NY Remediation Branch  
290 Broadway  
New York, NY 10007  
(212) 637-4255  
(212) 637-3966 fax

LuisMendez@ongov  
.net

To  
11/03/2009 03:13 PM Pam Tames/R2/USEPA/US@EPA,  
LoriTarolli@ongov.net  
cc

Subject  
Re: access agreement for Lower  
Ley Creek bank

Dear Ms. Tames,

I am preparing an abbreviated, but somewhat more detailed Draft Access Agreement for your review. It is my expectation to have a draft for your review before C.O.B.

As mentioned in our telephone conversation yesterday, the County needs a contractual mechanism to appropriately address defense, indemnity and supporting financial assurances as a condition for voluntarily granting access to County owned property. The County is a self insured entity, and therefore must exercise due diligence in addressing risks.

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Tames.Pam@epamail.epa.gov

11/02/2009 07:00 PM To  
luismendez@ongov.net  
cc  
Subject  
access agreement for Lower Ley  
Creek bank

Luis, Per our earlier conversation, I have attached a simple access agreement for you. If you wish to add some additional language to it, please send it back to me so my attorney can also review it. Thank you for your assistance, Pam

(See attached file: County Access Agreement.doc)

Pamela Tames, P.E.

EPA, NY Remediation Branch

290 Broadway

New York, NY 10007

(212) 637-4255

(212) 637-3966 fax [attachment "County Access Agreement.doc" deleted by Pam Tames/R2/USEPA/US]